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Application No. 10/684,072

VIA FACSIMILE TRANSMISSION – UNOFFICIAL
To: Fax Number 571-273-8300
May 18, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven E. Koenck. **Examiner:** Hoa B. Trinh

Serial Number: 10/684,072 **Art Unit:** 2814

Filed: 10/13/2003

For: "Reduction of Electromagnetic Interference in Integrated Circuit Device Packages"
(Attorney Docket No. 38219R2)

Request for Interview After Final Action Per MPEP 713.09

PLEASE DELIVER DIRECTLY TO EXAMINER HOA B. TRINH, ART UNIT 2814

With reference to the final Office Action of 01/25/2006, applicant respectfully requests that an interview be granted to the undersigned attorney of record.

An explanation of the purpose and content of the proposed interview pursuant to MPEP 713.09, begins on page 2 hereof (entitled Unofficial Submission - Draft of Request for Interview - being a draft based on Form PTOL-413A of three pages, and informational Exhibits A-D of thirteen pages directed to the new issues raised in the Final Action which could not have been foreseen by the applicant).

An Explanation Per 37 CFR 1.116(e) of Why the Enclosed Exhibits Were Not Earlier Presented is submitted as a second page of the Continuation Sheet (Based on Form PTOL-413A), page 4 hereof.

Respectfully, John H. Sherman

John H. (Jack) Sherman, Reg. 16,909
Telephone: 319-369-3661

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that on the date shown below, this Request for Interview After Final Action Per MPEP 713.09 , consisting of one page, followed by a Draft of Request for Interview (based on Form PTOL-413A) of three pages, and Exhibits A-D of thirteen pages, is being facsimile transmitted to the U.S. Patent and Trademark Office at fax number 571-273-8300.

Date: May 18, 2006 John H. Sherman

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UNOFFICIAL SUBMISSION - SIXTEEN PAGES

Draft of Request for Interview (Top Part Only of Form PTOL-413A)

Applicant Initiated Interview Request Form

Application No.: 10/684,072 First Named Applicant: Steven E. Koenck
Examiner: Hoa B. Trinh Art Unit: 2814 Status of Application: Final Rejection

Tentative Participants:
(1) Hoa B. Trinh (2) John H. (Jack) Sherman
(3) ______ (4) ______

Proposed Date of Interview: Sherman will telephone the Examiner to learn a convenient date & time **Proposed Time:** ______ (AM/PM)

Type of Interview Requested:
(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description: ______

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	11-20	Huang	☐	☐	☐
(2) Rej.	31-32-33	Huang	☐	☐	☐
(3) Rej.	31-32-33-34	Huang	☐	☐	☐
(4) Rej.	31-32-33-35	Huang	☐	☐	☐

☒ Continuation Sheet Attached - Two Pages

Brief Description of Arguments to be Presented:
Rej. (1): The high resistivity ferrite (ferromagnetic oxide) disclosed by applicant is radically different from the ferromagnetic metals disclosed by Huang. See Continuation Sheet - Part (A).

Rej. (2)-(4): Huang lacks the claim limitations as explained in Part (B) of the Continuation Sheet.

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Unofficial Submission - Draft of Request for Interview
(Second Page of Sixteen Pages)

CONTINUATION SHEET (FIRST PAGE OF TWO PAGES)

Application No.: 10/684,072 First Named Applicant: Steven E. Koenck
Examiner: Hoa B. Trinh Art Unit: 2814 Status of Application: Final Rejection

Tentative Participants:
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(3)______ (4)______

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Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description:______

Issues To Be Discussed

Continuation Sheet - Part (A) - Rejection of Claims 11-20 on Huang 5,138,431

Applicant encloses herewith as Exhibit A four pages from Hawley's Condensed Chemical Dictionary, 2001; pages 492 and 491show the application of the terminology "ferromagnetic oxide" to ferrite material of the type disclosed in the subject application.

Huang is concerned with ferromagnetic (metal) materials that are electrically conductive.

The handbook Magnetic Materials published by Wiley-Interscience, 1969, illustrates at page 556 of three-page Exhibit B, the well understood distinction between ferrite materials, and magnetic metals or alloys.

Exhibit C of three pages illustrates at page 132 the common understanding that for conductive ferromagnetic materials where the "resistivity of the materials is not extremely large, ... the eddy current may become appreciable ..." (this passage is from a textbook for a first course in power and communication engineering as shown by the second enclosed page, with a 1943 date.)

Continuation Sheet - Part (B) - Rejection of Claims 31-32-33, 31-32-33-34 and 31-32-33-35 on Huang 5,138,431

An explanation of the patentability of Claims 31-32-33 is found in Exhibit D, a three-page Declaration of Thomas Schuster; see for example, the Conclusion (B) at the last three lines of the second page, and continuing on the last page. The second Continuation Page which follows explains the justification for considering this Exhibit at the present time per 37 CFR 1.116(e).

Application No. 10/684,072

VIA FACSIMILE TRANSMISSION – UNOFFICIAL
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Unofficial Submission - Draft of Request for Interview
(Third Page of Sixteen Pages)

CONTINUATION SHEET (SECOND PAGE OF TWO PAGES)

Application No.: 10/684,072 First Named Applicant: Steven E. Koenck
Examiner: Hoa B. Trinh Art Unit: 2814 Status of Application: Final Rejection

Tentative Participants:
(1) Hoa B. Trinh (2) John H. (Jack) Sherman
(3) ______ (4) ______

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(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description: ______

Issues To Be Discussed

Explanation Per 37 CFR 1.116(e) of Why the Enclosed Exhibits Were Not Earlier Presented

Briefly stated, applicant responded to the earlier Official Action of 04/06/2005, by presenting amended claims 11-20, and new claims 31-40, which clearly avoided the grounds of rejection. Completely unexpectedly, the final Official Action repeated the prior rejection based on the following argument **which could not have been foreseen by the applicant:**

> "4. In the remarks, applicant argues that Huang does not teach a material that exhibits...essentially no eddy-current loss. However, Huang teaches a ferromagnetic material which is the same as that of the present invention. Thus, the characteristic of the same material exhibits the same effects."
> (Response to Arguments at Page 5 of the Final Action)

While the Official Action refers to Huang col. 5, lines 8-15, as teaching "a relatively small amount of powder ...is introduced into the encapsulating medium", there is no teaching in Huang of introducing anything into the encapsulating medium. The Official Action completely fails to explain how Huang teaches or suggests the limitations in Claims 33, 34, and 35 concerning "a relatively small amount of the powder composed of ferrite magnetic material" being "**introduced into the encapsulating medium** such that the magnetic material **does not carry any of the electric current flowing to and from the wafer circuitry**", taken with the limitation of base claim 31: "such that the ferrite magnetic [sic] does not itself prevent bending of the at least one of the electrically conductive paths". **The essential purpose of the metal ferromagnetic materials of Huang is to prevent bending of the leads of the leadframe prior to encapsulation!!** Applicant could not foresee that important limitations of new claim 31-33, and claims 34 and 35 dependent thereon, would be completely ignored in the final action; hence consideration of the Exhibits including Exhibit D seems warranted.